Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 1 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

```
1
                      UNITED STATES DISTRICT COURT
 2
                FOR THE NORTHERN DISTRICT OF CALIFORNIA
 3
                         SAN FRANCISCO DIVISION
 4
       SURGICAL INSTRUMENT SERVICE
 5
       COMPANY, INC.,
                                       ) Case No.:
                                       ) 3:21-cv-03496-VC
 6
                  Plaintiff,
                                        ) Lead Case No.:
 7
                                        ) 3:21-cv-03825-VC
             vs.
       INTUITIVE SURGICAL, INC.,
 8
                                       ) Pages 1 to 65
                  Defendant
 9
10
       IN RE: DA VINCI SURGICAL ROBOT )
       ANTITRUST LITIGATION
11
       THIS DOCUMENT RELATES TO:
12
       ALL ACTIONS
13
14
                *** CONFIDENTIAL ATTORNEYS EYES ONLY ***
15
                              DEPOSITION OF:
                          KEITH ROBERT JOHNSON
16
17
                        IN HIS PERSONAL CAPACITY
18
                       THURSDAY, OCTOBER 27, 2022
19
                                1:27 p.m.
20
21
       REPORTED BY:
22
       Vickie Blair
23
       CSR No. 8940, RPR-CRR
24
       JOB NO. 5539883
25
       PAGES 1 - 68
                                                    Page 1
```

Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 2 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

1	Deposition of KEITH ROBERT JOHNSON, the witness, taken		
2	on behalf of the Defendant, on Thursday,		
3	October 27, 2022, 1:27 p.m., before VICKIE BLAIR,		
4	CSR No. 8940, RPR-CRR.		
5			
6	APPEARANCES OF COUNSEL VIA ZOOM:		
7			
8	FOR PLAINTIFF/COUNTER-DEFENDANT SURGICAL INSTRUMENT		
	SERVICE CO. INC.:		
9			
	HALEY GUILIANO LLP		
10	BY JOSHUA VAN HOVEN, Partner		
	111 North Market Street		
11	Suite 900		
	San Jose, California 95113		
12	+1 669 213 1061		
	joshua.vanhoven@hglaw.com		
13			
	FOR DEFENDANT INTUITIVE SURGICAL, INC.:		
14			
	COVINGTON & BURLING LLP		
15	BY ISAAC D. CHAPUT, Associate		
	415 Mission Street		
16	Suite 5400		
	San Francisco, California 94105-2533		
17	+1 415 591 7020		
	ichaput@cov.com		
18			
	COVINGTON & BURLING LLP		
19	BY AUSTIN S. MARTIN, Associate		
	One CityCenter		
20	850 Tenth Street, NW		
	Washington, D.C. 20001-4956		
21	+1 202 662 5094		
	amartin@cov.com		
22			
23			
24			
25			
	Page 2		

Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 3 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

1	your answers about that timeline be roughly the same?	14:52:00
2	MR. CHAPUT: Object to the form.	14:52:06
3	THE WITNESS: Yes, I'm I'm I'm a	14:52:09
4	sales guy, I'm looking for opportunities to sell. This	14:52:11
5	robotic program created an opportunity for SIS to	14:52:15
6	substantially increase the revenue of our organization,	14:52:18
7	a great opportunity, and that was what I I was I	14:52:20
8	was pumped about the opportunity.	14:52:24
9	BY MR. SNYDER:	14:52:25
10	Q Let's let's go let's go there next.	14:52:29
11	I just have a few questions.	14:52:33
12	This morning I believe you used the word	14:52:35
13	"monumental" in connection with the level of interest	14:52:41
14	in EndoWrist repair.	14:52:43
15	Is that a word that you used in that	14:52:44
16	context, Mr. Johnson?	14:52:46
17	A I believe I did, and I don't use that word	14:52:48
18	very often.	14:52:50
19	Q And are are there are there key	14:52:53
20	key moments or key events that you have in mind when	14:53:01
21	you refer to the monumental level of interest in	14:53:05
22	EndoWrist repair?	14:53:08
23	MR. CHAPUT: Object to the form.	14:53:11
24	THE WITNESS: Yeah, there's there's a	14:53:12
25	couple very distinct meetings that stick out in my	14:53:16
		Page 50

Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 4 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

1	head, yes.	14:53:18
2	BY MR. SNYDER:	14:53:20
3	Q And what what are those those	14:53:20
4	meetings that stick out?	14:53:26
5	A One of the biggest ones was the meeting	14:53:27
6	that we had with Advocate Aurora in Wisconsin. I'll	14:53:35
7	just say this, in in in every meeting that I had,	14:53:46
8	and I'm not saying some of them, I'm saying all of	14:53:50
9	them, the the level of interest from the people that	14:53:52
10	I met with, which was always usually the C-suite, VP of	14:53:58
11	supply chain, VP of perioperative services, chief	14:54:02
12	robotic surgeon, one of those groups, every single one	14:54:07
13	of them was absolutely excited about this program.	14:54:10
14	Every one of them used the word	14:54:15
15	"hemorrhage;" almost all I won't say every one, a	14:54:17
16	majority of the people I meet with said "We hemorrhage	14:54:23
17	money to Intuitive Surgical. We are looking for ways	14:54:28
18	to reduce costs."	14:54:30
19	They love the robot. They do. They all	14:54:31
20	love it. They understand what it does.	14:54:34
21	It's it's the the lack of being able	14:54:36
22	to bring these other services that we were offering to	14:54:37
23	the table to help them reduce their costs, and that was	14:54:41
24	what they were excited about.	14:54:44
25	Q A couple other names that came up earlier	14:54:51
		Page 51

Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 5 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

1	today I wanted to ask about.	14:54:54
2	You testified about Vizient.	14:54:56
3	Do you recall that?	14:54:57
4	A Uh-huh.	14:54:58
5	Q And what what is Vizient?	14:54:58
6	A So Vizient is the largest health care GPO	14:55:01
7	in the country.	14:55:09
8	Q What was Vizient's level of interest in	14:55:10
9	EndoWrist repair?	14:55:12
10	A I have met with the CEO of Vizient, the	14:55:18
11	chief customer officer of Vizient, in fact, the chief	14:55:21
12	customer officer of Vizient scheduled a meeting with	14:55:26
13	his six high level people that run the entire country	14:55:28
14	because that's how excited they were about this	14:55:32
15	program.	14:55:35
16	They don't Vizient doesn't get any	14:55:36
17	value from Intuitive Surgical, they don't get admin	14:55:38
18	fees from Intuitive Surgical, they don't get anything	14:55:43
19	from Intuitive Surgical.	14:55:47
20	So the fact that SIS had a program that	14:55:50
21	could reduce costs to health care, help the hospitals	14:55:52
22	reduce their cost for robotic surgery, and they could	14:55:55
23	bring value to their customers in the robotic space was	14:55:58
24	an absolute home run for them.	14:56:01
25	Q And could can you describe generally	14:56:05
		Page 52

Case 3:21-cv-03496-AMO Document 162-58 Filed 05/10/23 Page 6 of 6 *** CONFIDENTIAL ATTORNEYS EYES ONLY ***

1	how large Vizient is? I mean, you said they're the	14:56:11
2	largest, but what does that mean?	14:56:15
3	A Yeah, they represent, don't quote me	14:56:16
4	specifically, but they represent somewhere between	14:56:19
5	2,500 and 3,000 hospitals.	14:56:22
6	Q And what what's Vizient's geographic	14:56:24
7	scope?	14:56:29
8	A National, every state in the union.	14:56:29
9	Q Another another name that I believe	14:56:36
10	came up earlier today was Johns Hopkins.	14:56:37
11	Did you mention Johns Hopkins?	14:56:41
12	A Yes.	14:56:43
13	Q What do you recall about did you meet	14:56:43
14	with Johns Hopkins at any point?	14:56:45
15	A Yes.	14:56:48
16	Q What do you recall about that meeting?	14:56:48
17	A I could describe the gentleman to you	14:56:56
18	because I remember specifically what he looked like, I	14:56:57
19	believe he was the director of sourcing or the VP of	14:57:00
20	supply chain, and forgive me for not remembering his	14:57:04
21	title specifically, that meeting was teed up by the	14:57:08
22	Vizient director that the client executor that	14:57:13
23	managed that relationship with Johns Hopkins, and they	14:57:17
24	told them that they had a vendor that had a cost	14:57:19
25	savings program around robotic surgery.	14:57:21
		Page 53